

**An Analysis of the Status of Women and Minorities in the Common Carrier
Industry**

**Institute for Public Representation
Georgetown University Law Center
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INTRODUCTION

In the NPRM in *Biennial Regulatory Review of Regulations Administered by the Wireline Competition Bureau*, WC Docket No. 02-313, the Commission seeks comment on whether it should continue to require common carriers to file annually FCC Form 395. The FCC Form 395 provides a snapshot of common carriers' employees categorized by job type, race and gender.¹

To help assess the utility of Form 395, the Institute for Public Representation undertook a study of the the information contained in the most currently available Form 395s. Specifically, we sought to assess the status of women and minorities in the common carrier industry by looking at the percentage of women and minorities overall, in the top-four job categories, and in specific job categories, and comparing this information to both historical data for the common carrier industry and to contemporary data for the overall workforce.

KEY FINDINGS

- Overall employment of women in the common carrier industry has declined from 52% in 1973 to 44% in 2002
- Overall employment of women in the common carrier industry in 2002 lags behind private industry generally
- Women remain underrepresented as officials and managers and in the top-four job categories
- Women continue to hold the vast majority of positions in the “office and clerical” category
- Overall employment of minorities in the common carrier industry has nearly doubled since 1973
- Minorities remain underrepresented in the top-four job categories

¹ See Sample FCC 395 Form, Appendix A

- While total minority employment by common carriers is comparable to private industry, Hispanics are employed at much lower rates

METHODOLOGY

Researchers from the Institute for Public Representation (IPR) staff visited the FCC Reference Information Center in February and March of 2004 and asked for all of the most recent FCC Form 395s.² They were given Form 395s for 845 companies.³ All of the forms were filed on or about May 31, 2002.⁴ Of the 845 companies, 392 had fewer than 16 employees and thus were not required to report employment data.

Next, the data from Section II⁵ of Form 395 for the 453 companies with 16 or more employees was input into a Microsoft Excel spreadsheet with categories identical to the FCC 395 Form. The spreadsheet was used to determine the number and percentages of women and minorities in each job category, the top-two and top-four job categories, and overall. The results are reported in table 1. All percentages have been rounded to the nearest whole number.⁶

² Special thanks to Kendell Kelly, Khamisi Grace, and Anne Beck, Law Students at Georgetown University Law Center who put a significant amount of time and energy into this report.

³ While we utilized all of the 395 Forms available from the FCC, we were unable to determine how many common carriers either did not file or whose forms were missing because the FCC does not maintain a complete record of all the common carriers required to file the FCC Form 395. We do know that several of the large common carriers, such as AT&T and BellSouth, were not included among the 845 filings provided to the IPR researchers. In an attempt to locate the missing files, we contacted staff at the Industry Analysis and Technology Division of the Wireline Competition Bureau who are responsible for collecting the common carrier 395 Forms. The staff was also unable to find any additional 2002 395 Forms. For this reason, it would be useful for the FCC to compile its own analysis of all carriers.

⁴ 395 Forms from 2002 were used because at the time IPR researchers went to the FCC, the 2003 395 Forms were being kept in the offices of the Industry Analysis and Technology Division of the Wireline Competition Bureau, had not been organized, had not been released to the Public Reference Center, and were not available to the public.

⁵ Section II of Form 395 provides information about full-time employees only. Part-time employees were not reviewed in this study.

⁶ To determine the total employment, total number of female employees, total number of clerical workers and other composite data the “SUM” function was used in Excel. The function for

TABLE 1: Distribution of Women and Minorities in Common Industry, 2002

JOB CATEGORY	WOMEN	MINORITIES
	PERCENT	
OFFICIALS AND MANAGERS	37	19
PROFESSIONALS	42	28
TOP-TWO JOB CATEGORIES	40	24
TECHNICIANS	16	27
SALES WORKERS	52	31
TOP-FOUR JOB CATEGORIES	37	26
CLERICAL WORKERS	78	40
CRAFT WORKERS	13	19
OPERATIVES	24	30
LABORERS	8	34
SERVICE WORKERS	48	46
TOTAL EMPLOYMENT	44	29

To assess whether the status of women and minorities in the common carrier industry has improved over time, we would have liked to compare this data with data from Form 395s from earlier years. For a small number of companies, we were able to obtain earlier Form 395s from prior years. However, we were not able to obtain aggregate employment data going back to the time when the Form 395s were first instituted. Instead, we used data from Herbert R. Northrup & John A. Larson, *The Impact of the AT&T-EEO Consent Decree*, iv. (Industrial Research Unit The Wharton School, Labor Relations and Public Policy Series No.20, 1979) (Northrup & Larsen).⁷ We believe that a comparison of AT&T's employment demographics in 1973 to the 2002 data set is appropriate because in 1973, AT&T was the dominant common carrier in the industry. Hence, it employed the majority of all common carrier employees and provides a fair

“SUM” is SUM(number1,number2, ...) where number1, number2 represent the cells within the spreadsheet to be added. These sums were then used to determine the composition of each category. For example, once the total number of women was found using the sum function, this number was divided by the total employment, which yielded the total percentage of women..

⁷ Information in the study was provided by the Bell System provided from information on tape in its central headquarters.

picture of common carrier employment practices at the time.⁸ The data from this study has been summarized below in Table 2.

TABLE 2: Distribution of Women and Minorities in Common Carrier Industry, 1973

JOB CATEGORY	WOMEN	MINORITIES
	PERCENT	
OFFICIALS AND MANAGERS	25	4
ADMINISTRATIVE	86	11
SALES WORKERS	38	10
CLERICAL	94	20
OPERATORS	96	24
TOTAL WHITE COLLAR	73	16
OUTSIDE CRAFTS	.70	9
INSIDE CRAFTS	11	10
SERVICE WORKERS	23	33
TOTAL BLUE COLLAR WORKERS	6	12
TOTAL EMPLOYMENT	52	15

To assess the status of women and minorities in the common carrier industry compared to other sectors of the economy, we compared the Form 395 data with private industry workforce data from the 2002 EEO-1 Aggregate Report: Occupational Employment in Private Industry by Race/Ethnic Group/Sex, and by Industry, United States 2002, Equal Employment Opportunity

⁸ Herbert R. Northrup & John A. Larson, *The Impact of the AT&T-EEO Consent Decree* 1. (Industrial Research Unit The Wharton School, Labor Relations and Public Policy Series No.20, 1979). The AT&T employment data was divided into regions (i.e. New England, Middle Atlantic, etc). This data was summed, yielding national aggregate national data for AT&T in 1973. In addition, the categories used in 1973 study vary slightly from the current categories used by the FCC and EEOC. Two job categories, Officials and Managers and Service Workers, are directly comparable. For other categories, job description were compared and matched up. In 1973, clerical workers and operators were two separate categories but are no longer separate in 2002. The 1973 data for clerical workers and operators were summed to make a comparison to the 2002 data. In 1973, skilled inside and outside craftworkers are comparable to 2002's skilled craftworkers and were also summed for comparison.

Commission (2003), *available at:* www.eeoc.gov/stats/jobpat/2002/us.html. This data is presented in Table 3.

TABLE 3: Aggregate Private Industry Workforce Data

JOB CATEGORY	WOMEN	MINORITIES
	PERCENT	
OFFICIALS AND MANAGERS	35	15
PROFESSIONALS	52	20
TOP-TWO JOB CATEGORIES	45	18
TECHNICIANS	47	26
SALES WORKERS	56	27
TOP-FOUR JOB CATEGORIES	48	21
CLERICAL WORKERS	80	31
CRAFT WORKERS	13	24
OPERATIVES	28	36
LABORERS	35	48
SERVICE WORKERS	57	46
TOTAL EMPLOYMENT	48	30

WOMEN EMPLOYED IN THE COMMON CARRIER INDUSTRY

We found that the overall percentage of women employed by the common carrier industry has actually decreased over time. In 1973, 52% of AT&T's employees were women. Yet, data from the available 2002 Form 395s indicates that women comprised only 44% of the total employees in our sample.

TABLE 4: Comparison of Women in the Common Carrier Industry

JOB CATEGORY	1973 AT&T DATA	COMMON CARRIER INDUSTRY
	PERCENT	
TOTAL EMPLOYMENT	52	44
OFFICIALS AND MANAGERS	25	37
CLERICAL WORKERS	94	78

We also found the reduction in the percentage of women employed by specific companies to be quite dramatic. For example, the percentage of women employed by Comsat Corporation/Comsat World Systems fell from 33% in 1995 to a mere 15% in 2002.⁹

Not only is the percentage of women in the common carrier workforce lower today than in 1973, but it is also below the national average for female employment in private industry of 48%. Even among the largest common carriers, *i.e.* those employing over 10,000 people, for which FCC Form 395s were available for 2002, none met or exceeded the average for all private industry.

TABLE 5: Companies With Over 10,000 Employees, 2002

COMPANY NAME	TOTAL EMPLOYMENT ¹⁰	NUMBER OF FEMALE EMPLOYEES	PERCENTAGE OF FEMALES
NEXTEL	11134	5035	42
SPRINT	70817	31964	45
VERIZON	212304	93819	44

The women in the top-four job categories in our sample (37%) also fell far below the national average for women in the top-four categories for private industry (48%).¹¹ The chart below shows the percentages of women in each specific job category. In general, women in the common carrier industry tend to be underrepresented in the higher level jobs compared both to the overall percentage of women in the workforce (48%) and compared to women in the top level jobs in private industry.

⁹ Information obtained from Comsat Corporation/ Comsat World Systems' FCC 395 Forms from 1995 and 2002, available in the FCC Reference Information Center.

¹⁰ Total employment was determined by adding together total employment for parent common carrier and all known subsidiaries, which were identified either by their FCC 395 Form being attached to the parent companies FCC 395 Form or lists provided by the parent company listing subsidiary and affiliated companies.

¹¹ We were not able to compare the top-4 with the 1973 data because that data used a slightly different job categorization scheme.

TABLE 6: Distribution of Women Across Job Categories, 2002

JOB CATEGORY	COMMON CARRIER INDUSTRY	NATIONAL AVERAGE ¹²
	PERCENT	
OFFICIALS AND MANAGERS	37	35
PROFESSIONALS	42	52
TOP-TWO JOB CATEGORIES	40	45
TECHNICIANS	16	47
SALES WORKERS	52	56
TOP-FOUR JOB CATEGORIES	37	48
OFFICE & CLERICAL WORKERS	78	80
CRAFT WORKERS	13	13
OPERATIVES	24	28
LABORERS	8	35
SERVICE WORKERS	48	57
TOTAL EMPLOYMENT	44	48

Indeed, the only job category where women exceed the overall percentage of women in the workforce is “office and clerical workers.”¹³ The preponderance of women in clerical positions, which includes telephone operators, suggests the continuing effects of illegal gender discrimination. From the conception of the telephone operator position, the Bell System argued that only women could fill the position because of their quality of service and “voice with a smile.”¹⁴

By the same rationale, the Bell System excluded women from skilled craftworker positions because of required heavy lifting, irregular work hours, and driving home late at

¹² 2002 EEO-1 Aggregate Report: Occupational Employment in Private Industry by Race/Ethnic Group/Sex, and by Industry, United States 2002, Equal Employment Opportunity Commission (2003), available at: www.eeoc.gov/stats/jobpat/2002/us.html

¹³ The FCC and EEOC use similar definitions for Office and Clerical categories. *Annual Employment Report FCC Form 395; EEO-1 Job Classifications Guide*, EEOC, available at: <http://www.eeoc.gov/eeo1survey/jobclassification.html>.

¹⁴ Lois Kathryn Herr, *Women, Power, and AT&T: Winning Rights in the Workplace* 36. Boston: Northeastern University Press (2003).

night.¹⁵ Women continue to be employed by common carriers at low percentages as technicians (16%) and craftworkers (13%). Again, these numbers suggest the continuing effects of gender discrimination in the common carrier industry.

MINORITIES EMPLOYED IN THE COMMON CARRIER INDUSTRY

We found that the overall percentage of minorities employed by the common carrier industry in 2002 was 29%. This represents a significant increase from the 15% minorities employed by AT&T in 1973.

TABLE 7: Comparison of Minorities in the Common Carrier Industry

JOB CATEGORY	1973 AT&T DATA	COMMON CARRIER INDUSTRY
	PERCENT	
TOTAL EMPLOYMENT	15	29
OFFICIALS AND MANAGERS	4	19
CLERICAL WORKERS	20	40
SKILLED CRAFT WORKERS	9	19
UNSKILLED CRAFTWORKERS	33	34
SERVICE WORKERS	33	46

Moreover, the percentage of minority employees in the common carrier industry in 2002 is close to the national average of 30%. In the top-four job categories, common carriers even employed minorities at a higher percentage (26%) than the nationwide average (22%). But the percentage minorities in top-four categories remains below the percentage of minorities in the workforce as a whole (30%).

¹⁵*Id.*

TABLE 8: Distribution of Minorities Across Job Categories, 2002

JOB CATEGORY	COMMON CARRIER INDUSTRY	PRIVATE INDUSTRY
	PERCENT	
OFFICIALS AND MANAGERS	19	15
PROFESSIONALS	28	20
TOP-TWO JOB CATEGORIES	24	18
TECHNICIANS	27	25
SALES WORKERS	31	27
TOP-FOUR JOB CATEGORIES	26	22
CLERICAL WORKERS	40	31
CRAFT WORKERS	19	24
OPERATIVES	30	36
LABORERS	34	48
SERVICE WORKERS	46	46
TOTAL EMPLOYMENT	29	30

While there have been general improvements in minority employment in the common carrier industry, glaring anomalies remain. For example, Hispanics, the fastest growing minority employment group,¹⁶ have not seen swift progress in the common carrier industry. The percentage of Hispanics employed by common carriers increased from 2% in 1973 to only 7% in 2002. At the current rate of growth, it will be 2023 before Hispanic employment within the common carrier industry reaches the national average of 11%.¹⁷

¹⁶ *Characteristics of Private Sector Employment, Equal Employment Opportunity Commission* (2003), available at: www.eeoc.gov/stats/reports/ceosummit/index.html (2003).

¹⁷ Industry predictions were made using the “FORECAST” function in Microsoft Excel. The equation for “FORECAST” is $a+bx$, simulated by the following function: FORECAST(x, known_y's, known_x's), where x is the data point for which you want to predict a value, known_y's is the dependent array or range of data, and known_x's is the independent array or range of data.

TABLE 9: Minority Employment Trends Since 1973

MINORITY GROUP	1973 AT&T	2002 COMMON CARRIER INDUSTRY	2002 PRIVATE INDUSTRY AVERAGE
	PERCENT		
BLACK	11	17	14
HISPANIC	2	7	11
OTHER MINORITY ¹⁸	2	4	5

Another anomaly that requires further investigation is that a little more than half as many black men are employed by the common carrier industry as black women. However, male employees outnumber female employees in every other racial classification.

TABLE 10: Race and Gender Breakdown, 2002

RACE	WOMEN	MEN
	TOTAL NUMBER OF EMPLOYEES FROM 2002 DATA	
BLACK, NOT OF HISPANIC ORIGIN	40523	24691
ASIAN OR PACIFIC ISLANDER	4631	7722
NATIVE AMERICAN	1075	1347
HISPANIC	12536	15099
WHITE	105359	161341

CONCLUSION

The percentage of women employed by common carriers has decreased significantly over the past thirty years, and is now significantly below the national average. Women are underrepresented in the top-four job categories, and overrepresented in the clerical category. Minorities in general have made greater progress. While the overall percentage of minorities employed by common carriers has increased over time and is now close to the national average, minorities remain underrepresented in the top level jobs relative to overall percentage of the

¹⁸ The 1973 AT&T Data provides specific numbers for only blacks and Hispanics, therefore data for other minority groups was aggregated.

workforce. Moreover, Hispanics in particular are underrepresented in the common carrier industry compared to private industry.

ATTACHMENT A

SAMPLE 395 FORM

COMMON CARRIER ANNUAL EMPLOYMENT REPORT

[Please read instructions before completing and for Notice regarding public burden.]

SECTION I – General Information

1. Name and Mailing Address of Respondent

☐ Check here if
this is a change
of address.

2. Year Report Filed

3. Reporting Period (Ending Date of Pay
Period Covered by Report)4. Number of Full-Time Employees during Selected
Reporting Period (check one):

- a.
- ☐
- Fewer than 16 (complete Sections I, V, and VI only)
-
- b.
- ☐
- 16 or more (complete all sections)

SECTION II – Full-Time Employees. Consider as full-time employees all those working 30 hours or more per week.

JOB CATEGORY	ALL EMPLOYEES			MALE					FEMALE				
	TOTAL	MALE	FEMALE	MINORITY-GROUP EMPLOYEES				White, not of Hispanic Origin	MINORITY-GROUP EMPLOYEES				White, not of Hispanic Origin
				Black, not of Hispanic Origin	Asian or Pacific Islander	Native American	Hispanic		Black, not of Hispanic Origin	Asian or Pacific Islander	Native American	Hispanic	
Officials and Managers													
Professionals													
Technicians													
Sales													
Office and Clerical													
Craft Workers (skilled)													
Operatives (semiskilled)													
Laborers (unskilled)													
Service Workers													
TOTAL													
Previous Year's Total (if any)													

SECTION III – Part-Time Employees

JOB CATEGORY	ALL EMPLOYEES			MALE					FEMALE				
	TOTAL	MALE	FEMALE	MINORITY-GROUP EMPLOYEES				White, not of Hispanic Origin	MINORITY-GROUP EMPLOYEES				White, not of Hispanic Origin
				Black, not of Hispanic Origin	Asian or Pacific Islander	Native American	Hispanic		Black, not of Hispanic Origin	Asian or Pacific Islander	Native American	Hispanic	
Officials and Managers													
Professionals													
Technicians													
Sales													
Office and Clerical													
Craft Workers (skilled)													
Operatives (semiskilled)													
Laborers (unskilled)													
Service Workers													
TOTAL													
Previous Year's Total (if any)													

SECTION IV – On-the-Job Trainees. Report only employees enrolled in formal on-the-job training programs. The data below shall be also included in the figures for the appropriate occupational categories in Sections II and III.

JOB CATEGORY	ALL EMPLOYEES			MALE					FEMALE				
	TOTAL	MALE	FEMALE	MINORITY-GROUP EMPLOYEES				White, not of Hispanic Origin	MINORITY-GROUP EMPLOYEES				White, not of Hispanic Origin
				Black, not of Hispanic Origin	Asian or Pacific Islander	Native American	Hispanic		Black, not of Hispanic Origin	Asian or Pacific Islander	Native American	Hispanic	
White Collar													
Production													

SECTION V – Report of Discrimination Complaints Pursuant to 47 CFR 21.307, 22.321, and 23.55

- ☐ This is to advise the Commission that no complaints regarding violations of the equal employment provisions of Federal, state, territorial, or local statutes have been filed against this company before any body having competent jurisdiction in such matters during the calendar year covered by this report.
- ☐ This is to advise the Commission that the following complaints alleging violations of the provisions of any equal employment opportunity statute have been filed against this company. (Attach a list indicating parties involved, date filed, courts or agencies before which the matter has been heard, file number or other designation, and current status or disposition.)

SECTION VI – Certification

I certify that to the best of my knowledge, information and belief, all statements contained in this report are true and correct.

Date	Typed or Printed Name of Person Signing	Signature	Telephone No.
Title of Person Signing		WILLFULLY FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (18 U.S.C. 1001) AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (47 U.S.C. 312 (A)(1)) AND/OR FORFEITURE (47 U.S.C. 503).	

INSTRUCTIONS FOR COMPLETION OF FCC FORM 395 COMMON CARRIER ANNUAL EMPLOYMENT REPORT

A. Who Must File: The FCC Form 395, Common Carrier Annual Employment Report, is to be filed by all licensees and permittees of common carrier stations with sixteen (16) or more full-time employees, as required by 47 CFR 1.815 (see item D, below).

B. Number of Copies to File: Respondents must submit one (1) copy of each FCC Form 395 to the **FEDERAL COMMUNICATIONS COMMISSION, Wireline Competition Bureau, Industry Analysis and Technology Division, Washington, DC 20554**, or it may be submitted by facsimile to **(202) 418-0520**. The completed report must be filed by May 31 of each year.

C. Reporting Period (item 3 of FCC Form 395): The employment data being filed must reflect the employment figures from any one payroll period in January, February, or March. The same payroll period should be used in each year's report.

D. Number of Full-Time Employees (item 4 of FCC Form 395): (1) If the filing concerns a reporting unit that had fewer than sixteen (16) full-time employees during the selected payroll period (see item C, above), no Form 395 filing is required. Such a reporting unit, however, may fill in Sections I, V, and VI of the form and submit it to comply with the respondent's reporting obligations under 47 CFR 21.307, 22.321, or 23.55.

(2) If the filing concerns a reporting unit that had 16 or more full-time employees during the selected payroll period, all sections of the report should be completed.

E. Minority Group Identification

1. Minority group information necessary for this section may be obtained either by visual surveys of the work force, or from post-employment records as to the identity of employees. An employee may be included in the minority group to which he or she appears to belong, or is regarded in the community as belonging.

2. Since visual surveys are permitted, the fact that minority group identifications are not present on company records is not an excuse for failure to provide the data called for.

3. Conducting a visual survey and keeping records of the race or ethnic origin of employees is legal in all jurisdictions and under all Federal and state laws. State laws prohibiting inquiries and record keeping as to race, ethnicity, etc., relate only to applicants for jobs, not to employees.

4. FCC Form 395 provides for reporting Native Americans, Asians or Pacific Islanders, blacks (non-Hispanic), Hispanics, and whites (non-Hispanic), whenever such persons are employed. The category that most closely reflects the individual's recognition in his or her community should be used to report persons of mixed racial and/or ethnic origins.

F. Race/Ethnic Categories

1. Black, not of Hispanic origin: A person descended from any of the black racial groups of Africa.

2. Hispanic: A person of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race.

3. Asian or Pacific Islander: A person descended from any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific islands. This area includes Hawaii and such countries as China, Japan, Korea, Vietnam, Indonesia, and the Philippines.

4. Native American: A person descended from any of the original peoples of North America, and who maintains cultural identification through tribal affiliation and/or community recognition.

5. White, not of Hispanic origin: A person descended from any of the original peoples of Europe, North Africa, or the Middle East.

G. Job Categories

The following job category definitions are provided for your guidance and may be used in completing FCC Form 395. A person who works in more than one job category is to be included in the one that represents the most important work done by that individual and is to be listed only once. Specific job titles enumerated below are not all-inclusive or rigid. The proper categorization of any employee depends on the kind and level of the employee's responsibilities.

1. Officials and Managers: Occupations requiring administrative personnel who set broad policies, exercise overall responsibility for execution of such policies, and direct individual departments or special phases of a firm's operations. Includes officials, executives, middle management, plant managers, department managers, salaried supervisors who are members of management, and purchasing agents.

2. Professionals: Occupations requiring either college graduation or experience of such kind and amount as to provide a comparable background. Includes accountants and auditors, airplane pilots, architects, artists, designers, writers and editors, engineers, lawyers, librarians, computer scientists, mathematicians, physicians, registered nurses, natural scientists, social scientists, and personnel and labor relations specialists.

3. Technicians: Occupations requiring a combination of basic scientific knowledge and manual skill that can be obtained through about two years of post-high-school education, such as is offered in many technical institutes and junior colleges, or through equivalent on-the-job training. Includes computer programmers and operators, drafting technicians,

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engineering aides, junior engineers, electronics technicians, mathematical aides, scientific assistants, radio operators, surveyors, photographers, technical illustrators, and kindred personnel.

4. Sales: Occupations engaged wholly or primarily in direct selling. Includes advertising salespersons, marketing assistants, sales representatives, technical sales workers, demonstrators, and sales promoters.

5. Office and Clerical: Comprises all clerical-type work, regardless of the level of difficulty, where the activities are predominantly non-manual, although some manual work not directly involved with altering or transporting the product is included. Includes bookkeepers, cashiers, collectors (bill and account), office clerks and messengers, office machine operators, shipping and receiving clerks, telephone operators, typists and secretaries, and kindred personnel.

6. Craft Workers (skilled): Manual workers of a relatively high skill level, who have a thorough and comprehensive knowledge of the process involved in their work, exercise considerable independent judgment, and usually receive an extensive period of training. Includes hourly paid supervisors who are not members of management, skilled mechanics, telephone equipment installers and repairers, line and cable workers, machinists, printing craft workers, electricians, pattern and model makers, and stationary engineers.

7. Operatives (semiskilled): Workers who operate machine or processing equipment or perform other factory-type duties of intermediate skill level that can be mastered in a few weeks and require only limited training. Includes apprentices (electricians, machinists, mechanics, etc.), machine operators, assemblers, welders, attendants (auto service and parking), chauffeurs, truck drivers, and delivery workers. (For this report, employees enrolled in a program that includes work training and related instructions to learn a trade or craft that has traditionally begun with an apprenticeship, should be considered apprentices, regardless of whether the program is registered with a Federal or state agency.)

8. Laborers (unskilled): Workers in manual occupations who require no special training and perform elementary duties that may be learned in a few days and which require the application of little or no independent judgment. Includes garage laborers, vehicle washers and equipment cleaners, stock handlers, groundskeepers, and other laborers who perform lifting, digging, mixing, loading, or pushing and pulling operations.

9. Service Workers: Workers in both protective and non-protective service occupations. Includes personal service attendants, health service aides, food service workers, fire protection personnel, janitors and cleaners, security guards, and doorkeepers.

H. On-the-Job Trainees

Report only employees who are enrolled in formal on-the-job training programs. The data that are provided in this section should also be included in the figures being reported for the appropriate occupational categories in Sections II and III.

1. White Collar: Persons engaged in formal training for positions as officials and managers, professionals, technicians, salespersons, or office and clerical personnel.

2. Production: Persons engaged in formal training for jobs as craft workers, operatives (when not being trained under apprenticeship programs), laborers, or service workers.

I. Report of Discrimination Complaints

All common carrier licensees and permittees are required by 47 CFR 21.307, 22.321, or 23.55 to file a report of equal employment opportunity discrimination complaints brought against them. Section V makes this complaints report a part of the annual employment report for those reporting units that file Form 395 (see item D, above).

J. **Certification.** FCC Form 395 must be certified: by the licensee or permittee, if an individual; by a partner, if a partnership; by an officer, if a corporation or association; or by an attorney of the licensee or permittee, in case of his or her disability or absence from the United States.

FCC NOTICE TO INDIVIDUALS, AS REQUIRED BY THE PRIVACY ACT AND THE PAPERWORK REDUCTION ACT

The solicitation of personal information requested in this report is authorized by the Communications Act of 1934, as amended. The data collected will be used to assess compliance with the FCC rules and regulations pertaining to EEO requirements. Failure to file the FCC Form 395 in accordance with the Commission's rules and these instructions may lead to enforcement action pursuant to the Act and other applicable law. Information requested by this form will be available for public inspection. Your response is mandatory.

The public reporting burden for this collection of information is estimated to average one hour per response, including the time needed for reviewing instructions, searching existing data sources, gathering and maintaining the required data, and completing and reviewing the report. If you have any comments on this burden estimate, or how we can improve the collection and reduce the burden it causes you, please write to the Federal Communications Commission, AMD-PERM, Paperwork Reduction Project (3060-0076), Washington, DC 20554. We will also accept your comments regarding the Paperwork Reduction Act aspects of this collection via the Internet if you send them to jboley@fcc.gov. PLEASE DO NOT SEND YOUR RESPONSE TO THIS ADDRESS. (Send your completed FCC Form 395 to the address given in item B, above.) Remember: You are not required to respond to a collection of information sponsored by the Federal government, and the government may not conduct or sponsor this collection, unless it displays a currently valid OMB control number or if we fail to provide you with this notice.

THE FOREGOING NOTICE IS REQUIRED BY THE PRIVACY ACT OF 1974, PUBLIC LAW 93-579, DECEMBER 31, 1974, 5 U.S.C. 552a(e)(3), AND BY THE PAPERWORK REDUCTION ACT OF 1995, PUBLIC LAW 104-13, OCTOBER 1, 1995, 44 U.S.C. 3507.